

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE DIANA LYNN CURLEY,	:	Case No. 12-25797 JAD
Debtor	:	Chapter 13
DIANA LYNN CURLEY	:	Related to Document No. 189
Movant,	:	
	:	
v.	:	
	:	
BANK OF AMERICA, N.A.,	:	Hearing Date: September 4, 2018
	:	Response Date: July 13, 2018
Defendant.	:	

**BANK OF AMERICA, N.A.'S UNOPPOSED SECOND MOTION TO CONTINUE**

AND NOW, comes Bank of America, N.A. (“BANA”), by and through the undersigned, and hereby files the within Unopposed Second Motion to Continue and in support thereof sets forth the following:

1. On or about June 14, 2018, Debtor Diana Lynn Curley (“Debtor”) filed a Motion for Contempt against BANA.
2. On or about June 15, 2018, this Honorable Court issued an Order thereby scheduling a hearing on Debtor’s Motion for Contempt for Wednesday, July 25, 2018 at 10:00 a.m.
3. On or about July 16, 2018, BANA filed a Motion to Continue to allow the parties additional time to resolve the allegations set forth in the Motion for Contempt, which this Honorable Court granted on July 17, 2018.
4. Pursuant to the July 17<sup>th</sup> Order, a hearing on Debtor’s Motion for Contempt was continued to September 4, 2018 at 10:00 a.m.
5. Debtor’s counsel has agreed to continue the September 4<sup>th</sup> hearing to allow the parties additional time to resolve the allegations set forth in the Motion for Contempt.

6. Based upon the agreement of the parties, BANA requests a continuance of forty-five (45) days.

WHEREFORE, Bank of America, N.A., respectfully requests that this Honorable Court grant the within Unopposed Second Motion to Continue and enter the proposed Order attached hereto.

Respectfully submitted,

By: /s/ Sharon R. Stritmatter  
Sharon R. Stritmatter  
PA ID No. 316468  
Tower Two-Sixty  
260 Forbes Avenue, Suite 1800  
Pittsburgh, Pennsylvania 15222  
T: (412) 667-6067  
F: (412) 402-4188  
[sstritmatter@mguirewoods.com](mailto:sstritmatter@mguirewoods.com)  
*Attorneys for Bank of America, N.A.*

Date: August 30, 2018

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IN RE DIANA LYNN CURLEY,  
Debtor  
DIANA LYNN CURLEY  
Movant,

V.

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## ATTORNEY CERTIFICATION OF GOOD FAITH

The undersigned counsel for movant hereby certifies and attests that:

- (a.) The contacts described below occurred regarding the discovery matter contained in the foregoing discovery motion in an effort to resolve the specific discovery dispute(s) at issue and, further, that despite the undersigned counsel's good faith attempts to resolve the dispute(s), counsel has been unable to do so. **Description: Bank of America, N.A. ("BANA") was able to confer with counsel for Debtor, who consented to the continuance. Given the nature of the Motion for Contempt, BANA filed this formal Motion for continuance.**
- (b.) Defendant has made good faith but unsuccessful efforts described herein and below to contact opposing counsel or unrepresented party in an effort to resolve the discovery dispute. **Description: Bank of America, N.A. ("BANA") was able to confer with counsel for Debtor, who consented to the continuance. Given the nature of the Motion for Contempt, BANA filed this formal Motion for continuance.**

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of Bank of America, N.A.'s Unopposed Second Motion to Continue was served via the electronic filing system of the United States Bankruptcy Court for the Western District of Pennsylvania and/or as otherwise listed below, on the 30th day of August, 2018, to the following:

Mary Bower Sheats, Esquire  
Frank, Gale, Bals, Murcko & Pocrass, P.C.  
3300 Gulf Tower  
707 Grant Street  
Pittsburgh, PA 15219  
*Attorney for Debtor*

By: /s/ Sharon R. Stritmatter  
Sharon R. Stritmatter  
PA ID No. 316468  
Tower Two-Sixty  
260 Forbes Avenue, Suite 1800  
Pittsburgh, Pennsylvania 15222  
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## ORDER

AND NOW, to wit, on the \_\_\_\_ day of \_\_\_\_\_, 2018, upon due consideration of Bank of America, N.A.'s ("BANA") Unopposed Second Motion to Continue, it is hereby ORDERED, ADJUDGED and DECREED, that said Motion is GRANTED. The hearing scheduled for Tuesday, September 4, 2018 at 10:00 a.m. is hereby continued for a period of forty-five (45) days. The show cause hearing will be rescheduled for the \_\_\_\_ day of \_\_\_\_\_, 2018 at \_\_\_\_ a.m./p.m. in Courtroom \_\_\_\_\_ at the United States Bankruptcy Court for the Western District of Pennsylvania.

BY THE COURT: